


Randal S. Mashburn
U.S. Bankruptcy Judge



Dated: 05/29/13

**IN THE UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE**

IN RE:)	
)	
LORRIE ANN JOHANNESSEN,)	Case No. 3:12-BK-02370
)	Chapter 13
Debtor,)	Judge Randal S. Mashburn
)	

ORDER REGARDING RELIEF FROM CODEBTOR STAY

This matter is before the Court upon the motion of Bank of America, N.A. ("BANA") for relief from the stay as to a codebtor, Scott D. Johannessen. Based upon the record before the Court, the codebtor stay is lifted pursuant to 11 U.S.C. Sec. 1301(c)(2).

In granting relief from the codebtor stay, it is not necessary for the Court to make any determination about the numerous disputes that exist between BANA and the codebtor. It is clear, as set forth in the Notice of Confirmation and Plan Terms at docket entry #45, that BANA will receive "no distribution" under the debtor's Chapter 13 plan. The Court concludes that this provision of the plan justifies relief from the co-debtor stay pursuant to 11 U.S.C. Sec. 1301(c)(2).

This order should not be construed as including any ruling on the validity or enforceability of any promissory note or lien at issue, the effect of any transfer of collateral that has occurred, the value of any collateral securing the underlying debt, the impact of any foreclosure by BANA or the surrender of any such collateral to BANA, the amount of any deficiency that may arise in connection with the debt, or any other matter in dispute between the parties. In short, the stay is lifted to allow BANA and the codebtor to litigate any or all of the various issues that have been raised.

IT IS SO ORDERED.

This Order has been electronically signed. The Judge's signature and Court's seal appear at the top of the first page.
United States Bankruptcy Court.